38a/489

Circular

38a

International
Copyright Relations
of the United States

LC 3.4/2:

International Copyright Relations of the United States

GENERAL INFORMATION

This sets forth U.S. copyright relations of current interest with the other independent nations of the world. Each entry gives country name (and alternate name) and a statement of copyright relations. The following code is used:

Berne	Party to the Berne Convention for the Protection of Literary and Artistic Works as of the date given. Appearing within parentheses is the latest Act[1] of the Convention to which the country is party. The effective date for the United States was March 1, 1989. The latest Act of the Convention to which the United States is party is the revision done at Paris on July 24, 1971.
Bilateral	Bilateral copyright relations with the United States by virtue of a proclamation or treaty, as of the date given. Where there is more than one proclamation or treaty, only the date of the first one is given.
BAC	Party to the Buenos Aires Convention of 1910, as of the date given. U.S. ratification deposited with the Government of Argentina, May 1, 1911; proclaimed by the President of the United States, July 13, 1914.
None	No copyright relations with the United States.
Phonogram	Party to the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms, Geneva, 1971, as of the date given. The effective date for the United States was March 10, 1974.
SAT	Party to the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite, Brussels, 1974, as of the date given. The effective date for the United States was March 7, 1985.
UCC Geneva	Party to the Universal Copyright Convention, Geneva, 1952, as of the date given. The effective date for the United States was September 16, 1955.
UCC Paris	Party to the Universal Copyright Convention as revised at Paris, 1971, as of the date given. The effective date for the United States was July 10, 1974.
Unclear	Became independent since 1943. Has not established copyright relations with the United States, but may be honoring obligations incurred under former political status.

Explanation of footnotes appear on the last page.

RELATIONS AS OF MARCH 15, 1989

Afghanistan
None

Albania
None

Algeria
UCC Geneva Aug. 28, 1973
UCC Paris July 10, 1974

Andorra
UCC Geneva Sept. 16, 1955

Angola
Unclear

Antigua and Barbuda
Unclear

Argentina
Bilateral Aug. 23, 1934
BAC April 19, 1950
UCC Geneva Feb. 13, 1958
Berne June 10, 1967 (Brussels)[2]
Phonogram June 30, 1973[3]

Australia
Bilateral March 15, 1918
Berne April 14, 1928 (Paris)[2]
UCC Geneva May 1, 1969
Phonogram June 22, 1974
UCC Paris Feb. 28, 1978

Austria
Bilateral Sept. 20, 1907
Berne Oct. 1, 1920 (Paris) [2]
UCC Geneva July 2, 1957
SAT Aug. 6, 1982 [4]
UCC Paris Aug. 14, 1982
Phonogram Aug. 21, 1982

Bahamas, The
Berne July 10, 1973 (Brussels) [2]
UCC Geneva Dec. 27, 1976
UCC Paris Dec. 27, 1976

Bahrain
None

Bangladesh
UCC Geneva Aug. 5, 1975
UCC Paris Aug. 5, 1975

Barbados
UCC Geneva June 18, 1983
UCC Paris June 18, 1983
Berne July 30, 1983 (Paris) [2]
Phonogram July 29, 1983

Belau
Unclear

Belgium
Berne Dec. 5, 1887 (Brussels) [2]
Bilateral July 1, 1891
UCC Geneva Aug. 31, 1960

Belize
UCC Geneva Dec. 1, 1982

Benin (formerly Dahomey)
Berne Jan. 3, 1961 (Paris) [2]

Bhutan
None

Bolivia
BAC May 15, 1914

Botswana
Unclear

Brazil
BAC Aug. 31, 1915
Berne Feb. 9, 1922 (Paris) [2]
Bilateral April 2, 1957
UCC Geneva Jan. 13, 1960
Phonogram Nov. 28, 1975
UCC Paris Dec. 11, 1975

Brunei
Unclear

Bulgaria
Berne Dec. 5, 1921 (Paris) [2]
UCC Geneva June 7, 1975
UCC Paris June 7, 1975

Burkina Faso (formerly Upper Volta)
Berne Aug. 19, 1963 (Paris) [2]
Phonogram Jan. 30, 1988

Burma
Unclear

Burundi
Unclear

Cambodia
UCC Geneva Sept. 16, 1955

Cameroon
Berne Sept. 21, 1964 (Paris) [2]
UCC Geneva May 1, 1973
UCC Paris July 10, 1974

Canada
Bilateral Jan. 1, 1924
Berne April 10, 1928 (Rome) [2]
UCC Geneva Aug. 10, 1962

Cape Verde
Unclear

Central African Republic
Berne Sept. 3, 1977 (Paris) [2]

Chad
Berne Nov. 25, 1971 (Brussels) [2]

Chile
Bilateral May 25, 1896
BAC June 14, 1955
UCC Geneva Sept. 16, 1955
Berne June 5, 1970 (Paris) [2]
Phonogram March 24, 1977

China [5]
Bilateral Jan. 13, 1904

Colombia
BAC Dec. 23, 1936
UCC Geneva June 18, 1976
UCC Paris June 18, 1976
Berne March 7, 1988 (Paris) [2]

Comoros
Unclear

Congo
Berne May 8, 1962 (Paris) [2]

Costa Rica [6]
Bilateral Oct. 19, 1899
BAC Nov. 30, 1916
UCC Geneva Sept. 16, 1955
Berne June 10, 1978 (Paris) [2]
UCC Paris March 7, 1980
Phonogram June 17, 1982

Cote d'Ivoire (Ivory Coast)
Berne Jan. 1, 1962 (Paris) [2]

Cuba
Bilateral Nov. 17, 1903
UCC Geneva June 18, 1957

Cyprus
Berne Feb. 24, 1964 (Paris) [2]

Czechoslovakia
Berne Feb. 22, 1921 (Paris) [2]
Bilateral March 1, 1927
UCC Geneva Jan. 6, 1960
UCC Paris April 17, 1980
Phonogram Jan. 15, 1985

Denmark
Bilateral May 8, 1893
Berne July 1, 1903 (Paris) [2]
UCC Geneva Feb. 9, 1962
Phonogram March 24, 1977
UCC Paris July 11, 1979

Djibouti
Unclear

Dominica
Unclear

Dominican Republic [6]
BAC Oct. 31, 1912
UCC Geneva May 8, 1983
UCC Paris May 8, 1983

Ecuador
BAC Aug. 31, 1914
UCC Geneva June 5, 1957
Phonogram Sept. 14, 1974

Egypt
Berne June 7, 1977 (Paris) [2]
Phonogram April 23, 1978

El Salvador
Bilateral June 30, 1908 by virtue of Mexico City Convention, 1902
Phonogram Feb. 9, 1979
UCC Geneva March 29, 1979
UCC Paris March 29, 1979

Equatorial Guinea
Unclear

Ethiopia
None

Fiji
UCC Geneva Oct. 10, 1970
Berne Dec.1, 1971 (Brussels) [2]
Phonogram April 18, 1973 [3]

Finland
Berne April 1, 1928 (Paris) [2]
Bilateral Jan. 1, 1929
UCC Geneva April 16, 1963
Phonogram April 18, 1973 [3]
UCC Paris Nov. 1, 1986

France
Berne Dec. 5, 1887 (Paris) [2]
Bilateral July 1, 1891
UCC Geneva Jan. 14, 1956
Phonogram April 18, 1973 [3]
UCC Paris July 10, 1974

Gabon
Berne March 26, 1962 (Paris) [2]

Gambia, The
Unclear

German Democratic Republic
Berne Dec. 5, 1887 (Paris) [2,7]
UCC Geneva Oct. 5, 1973
UCC Paris Dec. 10, 1980

Germany
Bilateral April 16, 1892

Germany, Federal Republic of
Berne Dec. 5, 1887 (Paris) [2,7]
UCC Geneva Sept. 16, 1955
Phonogram May 18, 1974
UCC Paris July 10, 1974
SAT Aug. 25, 1979 [4]

Ghana
UCC Geneva Aug. 22, 1962

Greece
Berne Nov. 9, 1920 (Paris) [2]
Bilateral March 1, 1932
UCC Geneva Aug. 24, 1963

Grenada
Unclear

Guatemala [6]
BAC March 28, 1913
UCC Geneva Oct. 28, 1964
Phonogram Feb. 1, 1977

Guinea
Berne Nov. 20, 1980 (Paris) [2]
UCC Geneva Nov. 13, 1981
UCC Paris Nov. 13, 1981

Guinea-Bissau
Unclear

Guyana
Unclear

Haiti
BAC Nov. 27, 1919
UCC Geneva Sept. 16, 1955

Holy See
(See entry under Vatican City)

Honduras [6]
BAC April 27, 1914

Hungary
Bilateral Oct. 16, 1912
Berne Feb. 14, 1922 (Paris) [2]
UCC Geneva Jan. 23, 1971
UCC Paris July 10, 1974
Phonogram May 28, 1975

Iceland
Berne Sept. 7, 1947 (Rome) [2]
UCC Geneva Dec. 18, 1956

India
Berne April 1, 1928 (Paris) [2]
Bilateral Aug. 15, 1947
UCC Geneva Jan. 21, 1958
Phonogram Feb. 12, 1975

Indonesia
Unclear

Iran
None

Iraq
None

Ireland
Berne Oct. 5, 1927 (Brussels) [2]
Bilateral Oct. 1, 1929
UCC Geneva Jan. 20, 1959

Israel
Bilateral May 15, 1948
Berne March 24, 1950 (Brussels) [2]
UCC Geneva Sept. 16, 1955
Phonogram May 1, 1978

Italy
Berne Dec. 5, 1887 (Paris) [2]
Bilateral Oct. 31, 1892
UCC Geneva Jan. 24, 1957
Phonogram March 24, 1977
UCC Paris Jan. 25, 1980
SAT July 7, 1981 [4]

Jamaica
None

Japan [8]
Berne July 15, 1899 (Paris) [2]
UCC Geneva April 28, 1956
UCC Paris Oct. 21, 1977
Phonogram Oct. 14, 1978

Jordan
Unclear

Kenya
UCC Geneva Sept. 7, 1966
UCC Paris July 10, 1974
Phonogram April 21, 1976
SAT Aug. 25, 1979 [4]

Kiribati
Unclear

Korea
Democratic People's Republic of Korea
Unclear

Republic of Korea
UCC Geneva Oct. 1, 1987
UCC Paris Oct. 1, 1987
Phonogram Oct. 10, 1987

Kuwait
Unclear

Laos
UCC Geneva Sept. 16, 1955

Lebanon
Berne Sept. 30, 1947 (Rome) [2]
UCC Geneva Oct. 17, 1959

Lesotho
Unclear

Liberia
UCC Geneva July 27, 1956
Berne March 8, 1989 (Paris)

Libya
Berne Sept. 28, 1976 (Paris) [2]

Liechtenstein
Berne July 30, 1931 (Brussels) [2]
UCC Geneva Jan. 22, 1959

Luxembourg
Berne June 20, 1888 (Paris) [2]
Bilateral June 29, 1910
UCC Geneva Oct. 15, 1955
Phonogram March 8, 1976

Madagascar (Malagasy Republic)
Berne Jan. 1, 1966 (Brussels) [2]

Malawi
UCC Geneva Oct. 26, 1965

Malaysia
Unclear

Maldives
Unclear

Mali
Berne March 19, 1962 (Paris) [2]

Malta
Berne Sept. 21, 1964 (Rome) [2]
UCC Geneva Nov. 19, 1968

Mauritania
Berne Feb. 6, 1973 (Paris) [2]

Mauritius
UCC Geneva March 12, 1968

Mexico
Bilateral Feb. 27, 1896
UCC Geneva May 12, 1957
BAC April 24, 1964
Berne June 11, 1967 (Paris) [2]
Phonogram Dec. 21, 1973 [3]
UCC Paris Oct. 31, 1975
SAT Aug. 25, 1979 [4]

Monaco
Berne May 30, 1889 (Paris) [2]
Bilateral Oct. 15, 1952
UCC Geneva Sept. 16, 1955
Phonogram Dec. 2, 1974
UCC Paris Dec. 13, 1974

Mongolia
None

Morocco
Berne June 16, 1917 (Paris) [2]
UCC Geneva May 8, 1972
UCC Paris Jan. 28, 1976
SAT June 30, 1983 [4]

Mozambique
Unclear

Nauru
Unclear

Nepal
None

Netherlands
Bilateral Nov. 20, 1899
Berne Nov. 1, 1912 (Paris) [2]
UCC Geneva June 22, 1967
UCC Paris Nov. 30, 1985

New Zealand
Bilateral Dec. 1, 1916
Berne April 24, 1928 (Rome) [2]
UCC Geneva Sept. 11, 1964
Phonogram Aug. 13, 1976

Nicaragua [6]
BAC Dec. 15, 1913
UCC Geneva Aug. 16, 1961
SAT Aug. 25, 1979 [4]

Niger
Berne May 2, 1962 (Paris) [2]

Nigeria
UCC Geneva Feb. 14, 1962

Norway
Berne April 13, 1896 (Brussels) [2]
Bilateral July 1, 1905
UCC Geneva Jan. 23, 1963
UCC Paris Aug. 7, 1974
Phonogram Aug. 1, 1978

Oman
None

Pakistan
Berne July 5, 1948 (Rome) [2]
UCC Geneva Sept. 16, 1955

Panama
BAC Nov. 25, 1913
UCC Geneva Oct. 17, 1962
Phonogram June 29, 1974
UCC Paris Sept. 3, 1980
SAT Sept. 25, 1985

Papua New Guinea
Unclear

Paraguay
BAC Sept. 20, 1917
UCC Geneva March 11, 1962
Phonogram Feb. 13, 1979

Peru
Berne Aug. 20, 1988 (Paris) [2]
BAC April 30, 1920
UCC Geneva Oct. 16, 1963
UCC Paris July 22, 1985
SAT Aug. 7, 1985
Phonogram Aug. 24, 1985

Philippines
Bilateral Oct. 21, 1948
Berne Aug. 1, 1951 (Brussels) [2]
UCC status undetermined by UNESCO (Copyright Office considers that UCC relations do not exist.)

Poland
Berne Jan. 28, 1920 (Rome) [2]
Bilateral Feb. 16, 1927
UCC Geneva March 9, 1977
UCC Paris March 9, 1977

Portugal
Bilateral July 20, 1893
Berne March 29, 1911 (Paris) [2]
UCC Geneva Dec. 25, 1956
UCC Paris July 30, 1981

Qatar
None

Romania
Berne Jan. 1, 1927 (Rome) [2]
Bilateral May 14, 1928

Rwanda
Berne March 1, 1984 (Paris) [2]

St. Christopher and Nevis
Unclear

Saint Lucia
Unclear

Saint Vincent and the Grenadines
UCC Geneva April 22, 1985
UCC Paris April 22, 1985

San Marino
None

Sao Tome and Principe
Unclear

Saudi Arabia
None

Senegal
Berne Aug. 25, 1962 (Paris) [2]
UCC Geneva July 9, 1974
UCC Paris July 10, 1974

Seychelles
Unclear

Sierra Leone
None

Singapore
Bilateral May 18, 1987

Solomon Islands
Unclear

Somalia
Unclear

South Africa
Bilateral July 1, 1924
Berne Oct. 3, 1928 (Brussels) [2]

Soviet Union
UCC Geneva May 27, 1973
SAT Jan. 20, 1989

Spain
Berne Dec. 5, 1887 (Paris) [2]
Bilateral July 10, 1895
UCC Geneva Sept. 16, 1955
UCC Paris July 10, 1974
Phonogram Aug. 24, 1974

Sri Lanka (formerly Ceylon)
Berne July 20, 1959 (Rome) [2]
UCC Geneva Jan. 25, 1984
UCC Paris Jan. 25, 1984

Sudan
Unclear

Suriname
Berne Feb. 23, 1977 (Paris) [2]

Swaziland
Unclear

Sweden
Berne Aug. 1, 1904 (Paris) [2]
Bilateral June 1, 1911
UCC Geneva July 1, 1961
Phonogram April 18, 1973 [3]
UCC Paris July 10, 1974

Switzerland
Berne Dec. 5, 1887 (Brussels) [2]
Bilateral July 1, 1891
UCC Geneva March 30, 1956

Syria
Unclear

Tanzania
Unclear

Thailand
Bilateral Sept. 1, 1921
Berne July 17, 1931 (Berlin) [2]

Togo
Berne April 30, 1975 (Paris) [2]

Tonga
None

Trinidad and Tobago
Berne Aug. 16, 1988 (Paris) [2]
UCC Geneva Aug. 19, 1988
UCC Paris Aug. 19, 1988
Phonogram Oct. 1, 1988

Tunisia
Berne Dec. 5, 1887 (Paris) [2]
UCC Geneva June 19, 1969
UCC Paris June 10, 1975

Turkey
Berne Jan. 1, 1952 (Brussels) [2]

Tuvalu
Unclear

Uganda
Unclear

United Arab Emirates
None

United Kingdom
Berne Dec. 5, 1887 (Brussels) [2]
Bilateral July 1, 1891
UCC Geneva Sept. 27, 1957
Phonogram April 18, 1973 [3]
UCC Paris July 10, 1974

Upper Volta
(See entry under Burkina Faso)

Uruguay
BAC Dec. 17, 1919
Berne July 10, 1967 (Paris) [2]
Phonogram Jan. 18, 1983

Vanuatu
Unclear

Vatican City (Holy See)
Berne Sept. 12, 1935 (Paris) [2]
UCC Geneva Oct. 5, 1955
Phonogram July 18, 1977
UCC Paris May 6, 1980

Venezuela
UCC Geneva Sept. 30, 1966
Phonogram Nov. 18, 1982
Berne Dec. 30, 1982 (Paris) [2]

Vietnam
Unclear

Western Samoa
Unclear

Yemen (Aden)
Unclear

Yemen (San'a)
None

Yugoslavia
Berne June 17, 1930 (Paris) [2]
UCC Geneva May 11, 1966
UCC Paris July 10, 1974
SAT Aug. 25, 1979 [4]

Zaire
Berne Oct. 8, 1963 (Paris) [2]
Phonogram Nov. 29, 1977

Zambia
UCC Geneva June 1, 1965

Zimbabwe
Berne April 18, 1980 (Rome) [2]

STATUTORY PROVISIONS

The copyright law embodied in title 17 of the United States Code was completely revised by the Act of October 19, 1976 (Public Law 94-553, 90 Stat. 2541) which became fully effective on January 1, 1978. Reprinted below is section 104 of that Act, as amended by the Act of October 31, 1988 (Public Law 100-568, 102 Stat. 2853, 2855).

§104. Subject matter of copyright: National origin

(a) UNPUBLISHED WORKS.—The works specified by sections 102 and 108, while unpublished, are subject to protection under this title without regard to the nationality or domicile of the author.

(b) PUBLISHED WORKS.—The works specified by sections 102 and 103, when published, are subject to protection under this title if—

(1) on the date of first publication, one or more of the authors is a national or domiciliary of the United States, or is a national, domiciliary, or sovereign authority of a foreign nation that is a party to a copyright treaty to which the United States is also a party, or is a stateless person, wherever that person may be domiciled; or

(2) the work is first published in the United States or in a foreign nation that, on the date of first publication, is a party to the Universal Copyright Convention; or

(3) the work is first published by the United Nations or any of its specialized agencies, or by the Organization of American States; or

(4) the work is a Berne Convention work; or

(5) the work comes within the scope of a Presidential proclamation. Whenever the President finds that a particular foreign nation extends, to works by authors who are nationals or domiciliaries of the United States or to works that are first published in the United States, copyright protection on substantially the same basis as that on which the foreign nation extends protection to works of its own nationals and domiciliaries and works first published in that nation, the President may by proclamation extend protection under this title to works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of that nation, or which was first published in that nation. The President may revise, suspend, or revoke any such proclamation or impose any conditions or limitations on protection under a proclamation.

(c) EFFECT OF BERNE CONVENTION.—No right or interest in a work eligible for protection under this title may be claimed by virtue of, or in reliance upon, the provisions of the Berne Convention, or the adherence of the United States thereto. Any rights in a work eligible for protection under this title that derive from this title, other Federal or State statutes, or the common law, shall not be expanded or reduced by virtue of, or in reliance upon, the provisions of the Berne Convention, or the adherence of the United States thereto.

SOME POINTS TO REMEMBER REGARDING THE INTERNATIONAL PROTECTION OF LITERARY AND ARTISTIC WORKS

There is no such thing as an "international copyright" that will automatically protect an author's writings throughout the world. Protection against unauthorized use in a particular country basically depends on the national laws of that country. However, most countries offer protection to foreign works under certain conditions which have been greatly simplified by international copyright treaties and conventions. There are two principal international copyright conventions, the Berne Union for the Protection of Literary and Artistic Property (Berne Convention) and the Universal Copyright Convention (UCC).

An author who wishes copyright protection for his or her work in a particular country should first determine the extent of the protection available to works of foreign authors in that country. If possible, this should be done before the work is published anywhere, because protection may depend on the facts existing at the time of first publication.

If the country in which protection is sought is a party to one of the international copyright conventions, the work generally may be protected by complying with the conditions of that convention. Even if the work cannot be brought under an international convention, protection under the specific provisions of the country's national laws may still be possible. There are, however, some countries that offer little or no copyright protection to any foreign works. For current information on the requirements and protection provided by other countries, it may be advisable to consult an expert familiar with foreign copyright laws. The U.S. Copyright Office is not permitted to recommend agents or attorneys or to give legal advice on foreign laws.

Footnotes

[1] "Paris" means the Berne Convention for the Protection of Literary and Artistic Works as revised at Paris on July 24, 1971 (Paris Act); "Stockholm" means the said Convention as revised at Stockholm on July 14, 1967 (Stockholm Act); "Brussels" means the said Convention as revised at Brussels on June 26, 1948 (Brussels Act); "Rome" means the said Convention as revised at Rome on June 2, 1928 (Rome Act); "Berlin" means the said Convention as revised at Berlin on November 13, 1908 (Berlin Act). NOTE: In each case the reference to Act signifies adherence to the substantive provisions of such Act only, *e.g.*, Articles 1 to 21 of the Paris Act.

[2] The Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Paris on July 24, 1971, did not enter into force with respect to the United States until March 1, 1989.

[3] The Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms done at Geneva on October 29, 1971, did not enter into force with respect to the United States until March 10, 1974.

[4] The Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite done at Brussels on May 21, 1974, did not enter into force with respect to the United States until March 7, 1985.

[5] The government of the Peoples Republic of China views this treaty as not binding on the PRC. In the territory administered by the authorities on Taiwan the treaty is considered to be in force.

[6] This country became a party to the Mexico City Convention, 1902, effective June 30, 1908, to which the United States also became a party, effective on the same date. As regards copyright relations with the United States, this Convention is considered to have been superseded by adherence of this country and the United States to the Buenos Aires Convention of 1910.

[7] Date on which the accession by the German Empire became effective.

[8] Bilateral copyright relations between Japan and the United States, which were formulated effective May 10, 1906, are considered to have been abrogated and superseded by the adherence of Japan to the UCC Geneva, effective April 28, 1956.

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